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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 NEW YORK MARINE & GENERAL
9 INSURANCE COMPANY,

10 Plaintiff,

11 v.

12 JILL JESURUM GODBOUT AND
13 CHRISTOPHER GODBOUT, husband and
14 wife, individually and their marital community;
15 MICHAEL BEKELE AND JANE DOE
16 BEKELE, husband and wife, individually and
17 their marital community; and KOMAL, LLC
18 DBA YELLOW CAB # 554 & 875, a
19 Washington limited liability corporation.

20 Defendants.

NO. 2:18-cv-01010-RSM

STIPULATED DISMISSAL AND ORDER

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STIPULATED DISMISSAL

Plaintiff New York Marine & General Insurance Co. (NYMG) and Defendants Jill Jesurum Godbout and Christopher Godbout hereby stipulate and agree as follows:

1. Jill Jesurum Godbout and Christopher Godbout (the “Godbouts”) were involved in a motor vehicle accident occurring on September 21, 2016 (the “accident”).

2. The Godbouts each made claims to NYMG for underinsured motorist coverage related to the accident.

STIPULATED DISMISSAL AND ORDER
NO. 2:18-CV-01010-RSM - 1

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1 3. The Godbouts have each recovered \$100,000 in underinsured motorist benefits
2 for the accident from their own UIM carriers: State Farm Mutual Automobile Insurance
3 Company and Progressive Direct Insurance Company.

4 4. Pursuant to the terms and conditions of the NYMG policy, the Godbouts have
5 exhausted any potential recovery of underinsured motorist coverage from NYMG. The Godbouts
6 have now withdrawn their claims for underinsured motorist coverage. The Godbouts have no
7 claims or causes of action against NYMG relating to underinsured motorist coverage arising
8 from the accident.

9 5. There is no dispute or controversy between NYMG and the defendant Godbouts
10 related to underinsured motorist coverage, and the parties agree an Order of Dismissal should be
11 entered without prejudice and without fees or costs.

12 6. Defendants Komal, LLC dba Yellow Cab # 554 & 875, and Michael Bekele and
13 Jane Doe Bekele have not appeared. This stipulation does not afford Plaintiff any relief against
14 them.

15 7. This stipulation shall not be interpreted as evidence that NYMG agrees the
16 Godbouts' damages arising from the accident exceed the limits of available liability coverage.

17 STIPULATED to this 27th day of August, 2018.

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STIPULATED DISMISSAL AND ORDER
NO. 2:18-CV-01010-RSM - 2

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1
2 **ORDER**

3 Pursuant to the stipulation of the parties, the defendant Godbouts have no claims against
4 Plaintiff NYMG relating to underinsured motorist coverage and arising from the accident, and
5 there is no resulting dispute or controversy between Plaintiff NYMG and the defendant Godbouts
6 related to underinsured motorist coverage arising from the accident. This matter is hereby
7 DISMISSED without prejudice and without fees or costs to any party.

8 IT IS SO ORDERED.

9 This 28 day of August, 2018.

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12 RICARDO S. MARTINEZ
13 CHIEF UNITED STATES DISTRICT JUDGE

14 ***Presented By:***

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